



Date: May 21, 2013

To: Thomas J. Bonfield, City Manager
Through: Keith Chadwell, Deputy City Manager
From: Reginald J. Johnson, Director
Department of Community Development
Subject: Public Hearing on and Approval of Proposed Amendments to the
FY 2009-2010, 2010-2011, 2011-2012, and 2012-2013 Annual Action
Plans

Executive Summary

The Citizen Participation Plan contained in the adopted 2010-2015 Consolidated Plan requires that a public hearing be conducted for all formal amendments that add, delete or substantially change the Consolidated Plan or Annual Action Plan according to regulations found in 24 Code of Federal Regulations (CFR) 91.105, as amended. The purpose of the proposed amendments is to to reallocate funding to ensure the timely expenditure of Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME) funds. Specifically, as it relates to HOME funds, the proposed amendments are necessary to meet a statutory commitment deadline before July 31, 2013.

Recommendation

The Department of Community Development recommends that the City Council hold a public hearing on June 17, 2013 to receive citizen comments on the Proposed Amendments to the FY 2009-2010, 2010-2011, 2011-2012, and 2012-2013 Annual Action Plans as it relates to CDBG and HOME funds and approve the amendments for submission to the U.S. Department of Housing and Urban Development Attachment (A), and authorize the City Manager to execute all administrative requirements and contractual documents for the implementation of the amended Annual Action Plans.

Background

As a participating jurisdiction, each year the City of Durham submits a detailed Annual Action Plan to HUD which describes how the City intends to invest its CDBG, HOME and ESG funds for the upcoming program year. Once HUD approves the Annual Action Plan, the participating jurisdiction is then held responsible for carrying out the activities in the Plan in a timely manner. In order to make substantial changes, the participating jurisdiction must amend its Consolidated/Annual Action Plan according to its adopted Citizen Participation Plan.

Issues and Analysis

The adopted Citizen Participation Plan requires that at least a 10-day notice be given to the public prior to date of the hearing and a 30-day comment period to receive citizen comments on the proposed amendments prior to implementation. In order to inform citizens of the upcoming public hearing, notices were published in the *Herald-Sun* and the *Carolina Times* on May 16 and 18, respectively.

Alternatives

Failure to submit the proposed amendments to the subject Plans will cause a delay in the timely expenditure and flexibility of HOME and CDBG funds. Further, failure to hold the public hearing and to subsequently approve the Substantial Amendment could result in HUD issuing a finding of non-compliance and the de-obligation of funds.

Financial Impact

The amended activities and projects will be funded with the reallocation of \$1,357,071.86 in CDBG and \$1,699,621.00 in HOME funds.

SDBE Summary

Not applicable to this item.

Attachment